



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **MP-5**

May 26, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
BROADHAVEN DRIVE AND A PORTION
OF BOSCOMBE TRAIL - TOPANGA
SUPERVISORIAL DISTRICT 3
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find the vacation of Broadhaven Drive and a portion of Boscombe Trail, pursuant to the enclosed Resolution of Summary Vacation, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Sections 15304, 15305, and/or 15321 of Title 14 of the California Code of Regulations (the State CEQA Guidelines).
2. Find that:
 - a. Pursuant to Section 8331 (a) and (b) of the California Streets and Highways Code, Broadhaven Drive and a portion of Boscombe Trail, as described in the enclosed Resolution of Summary Vacation, have been impassable for vehicular travel for five consecutive years, and no monies were expended for their maintenance during such period.

- b. As required by Section 892 of the California Streets and Highways Code, Broadhaven Drive and a portion of Boscombe Trail, as described in the enclosed Resolution of Summary Vacation, are not useful as nonmotorized transportation facilities.
3. Adopt the enclosed Resolution of Summary Vacation, Broadhaven Drive and a Portion of Boscombe Trail - Topanga (Conditional), to vacate Broadhaven Drive, northwest of Hillside Drive and a portion of Boscombe Trail north of Bearing Trail, described in Exhibit A and depicted in Exhibit B of the Resolution.
4. Authorize the Director of Public Works to record a certified copy of the Resolution in the office of the Registrar-Recorder/County Clerk when the conditions contained in the Resolution have been satisfied.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Mr. Paul Glickler, owner of several otherwise contiguous properties that are separated by these paper roads, requested this vacation to extinguish the public rights and County interest over the unimproved roads. Vacation of the unimproved roads will not have any negative impact on any adjacent properties or the County Highway Plan. No existing public utility easements will be affected by the proposed vacation.

The easements for Broadhaven Drive and a portion of Boscombe Trail were dedicated to the County in 1924 by Tract No. 6943 but were never constructed or used as public roads because the widths and alignments of the easements and existing topography make the roads impractical to build.

It is in the County's best interest to vacate these rights of way since they no longer serve the purposes for which they were dedicated, and they are not required for general public access, circulation, or as nonmotorized transportation facilities.

Implementation of Strategic Plan Goals

This action meets the County Strategic Plan Goal of Fiscal Responsibility as the vacation of Broadhaven Drive and a portion of Boscombe Trail will result in added revenue through assessment and taxation and reduces the County's possible exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of the streets will not have any negative fiscal impact on the County's budget. The applicant has paid a fee of \$2,000 to defray the expense of the investigation. The fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321 (d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The areas to be vacated contain approximately 14,190 square feet and are shown on the map attached to the Resolution.

The County's interest in the easements was acquired by dedication in Tract No. 6943, recorded in Book 105, pages 74 through 82, inclusive, of Maps, on file in the office of the Registrar-Recorder/County Clerk.

Streets and Highways Code Section 8331 provides, "The legislative body of a local agency may summarily vacate a street or highway if both of the following conditions exist: (a) For a period of five consecutive years, the street or highway has been impassable for vehicular travel. (b) No public money was expended for maintenance on the street or highway during such period."

The proposed vacation is conditioned upon the petitioner executing an affidavit consolidating/merging Lots 420 through 425, inclusive, into one parcel and Lots 426, 427, 428, and 429 into another parcel, and upon Public Works Waterworks and Sewer Maintenance Division executing an affidavit consolidating/merging Lots 432, 433, 434, and 435 into one parcel. This requirement prevents the sale of landlocked legal buildable parcels within the project area.

Adoption of the enclosed Resolution of Summary Vacation and the subsequent recordation, when all conditions have been satisfied, will terminate the rights of the public to use the vacated areas and dispose excess County rights of way. Your action will also result in the properties being unencumbered of the public easements, thereby allowing the underlying fee owners to exercise their reversionary rights over the vacated areas.

The Honorable Board of Supervisor
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ENVIRONMENTAL DOCUMENTATION

Based on the foregoing, this proposed vacation is categorically exempt from CEQA as specified in Sections 15304, 15305, 15312, and 15321 of the State CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The Fire Department has determined that no fire protection facilities will be affected by the proposed vacation. The Regional Planning Commission has determined the proposed vacation is not in conflict with the County-adopted General Plan and the vacation areas are not suitable for bicycle paths or trails.

CONCLUSION

This action is in the County's best interest. Enclosed are two originals of the Resolution of Summary Vacation, Broadhaven Drive and a portion of Boscombe Trail - Topanga (Conditional), both approved as to form by County Counsel. Upon adoption of the Resolution, please return one executed original and one copy to us for further processing. We will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed original for your files.

One adopted copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

JLS:mr
P5:\blBROADHAVEN

Enc.

**RESOLUTION OF SUMMARY VACATION
BROADHAVEN DRIVE AND A PORTION OF BOSCOMBE TRAIL - TOPANGA
(CONDITIONAL)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of easements for road purposes (hereafter referred to as the Easements) in, over, and across the real properties legally described in Exhibit A, and depicted on Exhibit B, both attached hereto. The Easements, sometimes referred to as Broadhaven Drive and a portion of Boscombe Trail, are generally located in the vicinity of Topanga in the County of Los Angeles State of California.
2. Mr. Paul Glickler (hereafter referred to as the Fee Owner) is the underlying Fee Owner of Lots 420 through 429, inclusive, and portions of the Easements proposed to be vacated as depicted on Exhibit B.
3. The Easements have been impassable for vehicular travel for a period of five consecutive years and no public money has been expended for maintenance on the Easements during this period.
4. This vacation does not terminate any public service easement and no in-place public utility facilities that are in use are to be affected by the vacation of the Easements.
5. The Easements are not useful as nonmotorized transportation facilities as defined in Section 887 of the California Streets and Highways Code.
6. The Easements are hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330, and subject to the conditions provided for in paragraph 7, below.
7. The vacation of the Easements is conditioned upon the Fee Owner executing an affidavit consolidating/merging Lots 420 through 425, inclusive, into one parcel, and Lots 426, 427, 428, and 429 into another parcel, and upon Public Works Waterworks and Sewer Maintenance Division executing an affidavit consolidating/merging Lots 432, 433, 434, and 435 into one parcel. These conditions must be met to the satisfaction of Public Works within one year of the date this Resolution is adopted by the Board of Supervisors or the vacation and abandonment of the Easements will terminate and become null and void.

8. Upon the satisfaction of the conditions specified in paragraph 7, above, Public Works be authorized to record a certified copy of this Resolution in the office of the Registrar-Recorder/County Clerk at which time the Easements shall no longer constitute public easements.

The foregoing Resolution was on the _____ day of _____, 20____, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,
County Counsel

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By 
Deputy

By _____
Deputy

JLS:mr
P5:bIBROADHAVENetc.doc

EXHIBIT A

BROADHAVEN DRIVE AND A
PORTION OF BOSCOMBE TRAIL
NW/O HILLSIDE DRIVE
A.M.B. 4440-010-002 through 006
T.G. 590 B/4
I.M. 89 C/2 (144-097)
S.D. THIRD
R.D. 336
M0488127

Legal Description

All those portions of BROADHAVEN DRIVE (formerly SYCAMORE DRIVE), 26 feet wide, and BOSCOMBE TRAIL (formerly OAKHURST TRAIL), 15 feet wide, in the unincorporated territory of the County of Los Angeles, State of California, as shown on and dedicated to the public use, by map of TRACT NO. 6943, recorded in Book 105, pages 74 through 82 inclusive, of Maps, in the Registrar-Recorder/County Clerk's office of said county, lying northwesterly of the northeasterly prolongation of the southeasterly line of Lot 420 and northerly of the westerly prolongation of the southerly line of Lot 425, both of said tract.

Containing: 14,190± S.F.



Description Approved

_____, 20 05

DONALD L. WOLFE
Director of Public Works

By
Land Surveyor
Mapping & Property Management Division

